

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff/Respondent,

v.

Crim. No. 1:13-cr-10061-JDB-1
Civ. No. 1:16-cv-01173-JDB-egb

WILLIE BAILEY,

Defendant/Petitioner.

ORDER REINSTATING DEFENDANT’S ORIGINAL SENTENCE

In an order entered September 12, 2018, this Court granted relief to Willie Bailey pursuant to 28 U.S.C. § 2255 based on the decision rendered by the Sixth Circuit Court of Appeals in *United States v. Stitt*, 860 F.3d 854 (6th Cir. 2017) (*Stitt I*). (Civ. No. 1:16-cv-01173-JDB-egb, Docket Entry (“D.E.”) 19.) On October 24, 2018, an amended criminal judgment was entered, reducing Defendant’s sentence from 180 months’ imprisonment to 80 months. (Crim. No. 1:13-cr-10061-JDB-1, D.E. 59.) The United States appealed. (*Id.*, D.E. 61.) Subsequently, in *United States v. Stitt*, 139 S. Ct. 399 (2018) (*Stitt II*), the United States Supreme Court reversed the Sixth Circuit’s decision in *Stitt I*. On February 26, 2020, the Court of Appeals reversed the grant of relief under § 2255 in light of *Stitt II* and remanded this case with instructions to reinstate Bailey’s original sentence. *United States v. Bailey*, Nos. 18-6131/18-6147 (6th Cir. Feb. 26, 2020). The mandates issued on March 19, 2020, and April 20, 2020, respectively. (Crim. No. 1:13-cr-10061-JDB-1, D.E. 84, 85.)

Because of the limited nature of the remand, solely for the purpose of reinstating the original sentence, no hearing is necessary. In accordance with the Court of Appeals’ order, the

Clerk of Court is DIRECTED to enter a second amended criminal judgment reinstating Defendant's original sentence of 180 months in the custody of the Bureau of Prisons and a 3-year term of supervised release.

IT IS SO ORDERED this 24th day of April 2020.

s/ J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE